

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
BRUNSWICK DIVISION

ANDRE EDSHEL MIMS,

Petitioner,

v.

CIVIL ACTION NO.: CV209-154

VICTOR WALKER, Warden,

Respondent.

O R D E R

On May 21, 2010, Petitioner Andre Edsel Mims filed a "Notice of Appeal" of the Magistrate Judge's Report and Recommendation. The Court construes Petitioner's filing as his objection to the Report and Recommendation. After an independent review of the record, the Court concurs with the Magistrate Judge's Report and Recommendation. The Report and Recommendation of the Magistrate Judge is adopted as the opinion of the Court.

Respondent's Motion to Dismiss is **GRANTED**. Mims' Petition for writ of habeas corpus, filed pursuant to 28 U.S.C. § 2254, is **DISMISSED** as a second or successive petition. The Clerk of Court is hereby authorized and directed to enter an appropriate Judgment of Dismissal.

SO ORDERED, this 3 day of July, 2010.

LISA GODBEY WOOD, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA